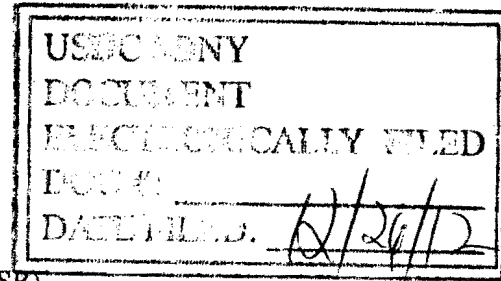


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
In re REFCO, INC. SECURITIES LITIGATION :
-----X

07 MDL 1902 (JSR)

ECF CASE

-----X
KENNETH M. KRYSS, et al. :
Plaintiffs, :

08 Civ. 7416 (JSR)

**STIPULATION OF DISMISSAL
& ORDER**

-v-

ROBERT AARON, et al., :
Defendants. :
-----X

WHEREAS, the Joint Official Liquidators ("JOLs") – plaintiffs in the above-captioned action – were appointed by the Grand Court of the Cayman Islands to oversee the liquidation of the SPHinx Funds in connection with liquidation proceedings currently pending in the Cayman Islands;

WHEREAS, the SPHinx Trustee – also a plaintiff in the above-captioned actions – was appointed pursuant to the Fifth Amended Plan of Liquidation of PlusFunds Group, Inc. ("PlusFudns") to pursue litigation claims formerly belonging to PlusFunds and assigned to the SPHinx Trust;

WHEREAS, the JOLs and the SPHinx Trustee initiated the above-captioned action relating to PlusFunds and the SPHinx Funds, which include claims against defendant Guy Castranova (the "Litigation");

WHEREAS, Castranova has denied the factual allegations made against him in the Litigation and any liability, including but not limited to liability to the SPhinX Funds, the SPhinX Funds estates, PlusFunds, the PlusFunds estate, the JOLs, the SPhinX Trustee and/or any SPhinX investor; and

WHEREAS, the JOLs and the SPhinX Trustee, on the one hand, and Castranova, on the other, have compromised and settled all of the claims and causes of action that may exist or be alleged to exist between them.

NOW, THEREFORE, IT IS STIPULATED AND AGREED by and between the JOLs and the SPhinX Trustee, on the one hand, and Castranova, on the other, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, that this action be dismissed with prejudice and without any costs to any party insofar as it relates to Castranova.

Dated: New York, New York
December 6, 2012

BROWN RUBNICK LLP

By: 

David J. Molton
Andrew Dash
Mason Simpson

Seven Times Square
New York, New York 10036
Tel: (212) 209-24900
Fax: (212) 209-4801
dmolton@brownrudnick.com
adash@brownrudnick.com
msimpson@brownrudnick.com

Attorneys for Plaintiffs

DLA PIPER LLP (US)

By: 

B. John Pendleton, Jr.

Andrew O. Bunn

Katie A. Gummer

300 Campus Drive, Suite 100
Florham Park, New Jersey 07932

Tel: (973) 520-2550

Fax: (973) 520-2551

john.pendleton@dlapiper.com

andrew.bunn@dlapiper.com

katie.gummer@dlapiper.com

Attorneys for Defendant Guy Castranova

SO ORDERED this 24th day of December, 2012



Jed S. Rakoff, U.S.D.J.